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In re Application of:
Allen Gersho, et al.
Application Serial No.: 09/401,068
Filed: September 22, 1999
For: **LPC-HARMONIC VOCODER WITH
SUPERFRAME STRUCTURE**

**DECISION
ON PETITION**

This is a decision on the petition, filed on November 7, 2005 under 37 C.F.R. §1.181 requesting that the subject application be made special under 37 CFR 1.102.

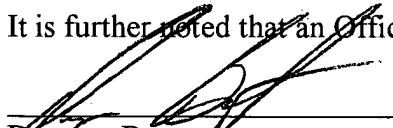
708.01 [R-2] List of Special Cases, states in part:

(I) Applications pending more than 5 years, including those which, by relation to a prior United States application, have an effective pendency of more than 5 years. See MPEP § 707.02. [emphasis added]

In accordance with MPEP section 708.01(I), applications pending over 5 years, including those which by relation to a prior United States application, should be considered special. This application by virtue of its prolonged pendency is already considered special in accordance with PTO policy.

Accordingly, the petition is **DISMISSED AS MOOT.**

It is further noted that an Office action was mailed on November 5, 2005.


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